



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SP

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/747,844 12/21/00 KISTLER

R LAM2P220C

025920
MARTINE & PENILLA, LLP
710 LAKEWAY DRIVE
SUITE 170
SUNNYVALE CA 94085

QM12/1003

EXAMINER

MORGAN, E

ART UNIT

PAPER NUMBER

3723

DATE MAILED:

10/03/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trad marks

Office Action Summary

Application No.

09/747,844

Applicant(s)

Kistler et al.

Examiner

Morgan

Art Unit

3723



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Dec 21, 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 20) ☐ Other:

Art Unit:

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Doran-5,888,120.

Doran discloses a platen (210) with a plurality of piezoelectric elements (306-316) disposed above the platen, capable of exerting pressure on a polishing belt, wherein an electric field is used to activate the elements, the elements varying in dimension, the smaller being near the edge of the platen, wherein the elements individually activated to exert different forces, and wherein an a sacrificial material (212) is disposed above the platen for reducing wear.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit:

4. Claims 8-14,17,19-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pant et al.-5,916,012 in view of Doran.

Pant discloses the claimed invention including applying a force to a bottom side of a polishing belt wherein a platen is below a belt and a wafer is polished from above the belt, wherein the pressure on the belt vary through slits (31,41). Pant does not disclose the use of piezoelectric elements for exerting pressure. However, Doran teaches polishing a wafer by applying different pressures on the backside through the use of piezoelectric elements (306-316) which can be controlled to exert varying pressure in response to conditions and wherein the elements vary in size and are smaller near the edge. Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to substitute the pressure control means of Pant with piezoelectric elements, as taught by Doran, in order to more accurately control pressure distribution.

5. Claims 15,16,18, rejected under 35 U.S.C. 103(a) as being unpatentable over Pant and Doran as applied to claims above, and further in view of Tietz-6,135,859.

Pant and Doran fail to show a rolling sacrificial member. However, Tietz teaches polishing a wafer with a belt, having a platen and using a rolling supporting member (476b) member above platen for increase support and backing to belt (456b). Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to provide Pant with a rolling support member, as taught by Tietz, in order to increase support to the polishing belt.

Art Unit:

6. Claims 24-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pant et al in view of Doran and Tietz.

Pant discloses the claimed invention including applying a force to a bottom side of a polishing belt wherein a platen is below a belt and a wafer is polished from above the belt, wherein the pressure on the belt vary through slits (31,41). Pant does not disclose the use of piezoelectric elements for exerting pressure or a rolling sacrificial member. However, Doran teaches polishing a wafer by applying different pressures on the backside through the use of piezoelectric elements (306-316) which can be controlled to exert varying pressure in response to conditions and wherein the elements vary in size and are smaller near the edge. Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to substitute the pressure control means of Pant with piezoelectric elements, as taught by Doran, in order to more accurately control pressure distribution. In regard to the sacrificial member, Tietz teaches polishing a wafer with a belt, having a platen and using a rolling supporting member (476b) member above platen for increase support and backing to belt (456b). Therefore, it would have been obvious to one of ordinary skill in the art at time invention was made to provide Pant with a rolling support member, as taught by Tietz, in order to increase support to the polishing belt.

Art Unit:

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to E. Morgan whose telephone number is (703) 308-1743.

EM

September 29, 2001

EILEEN P. MORGAN
PRIMARY EXAMINER